

Practitioner's Docket No. U 011573-2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____

Inventor(s)

for _____

Title of invention

OR

In re application of: Kari KIRJAVAINEN, et al.

Serial No.: 10/010,440

Group No.: --

Filed: November 8, 2001

Examiner: --

For: A PIPE

Assistant Commissioner for Patents
Washington, D.C. 20231TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. 1.97(b).

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. 1.8(a)

37 C.F.R. 1.10*

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TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: January 8, 2002

Signature

William R. Evans

(type or print name of person certifying)

*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action—page 1 of 3) 6-3

NOTE: The "filing date of a national application" under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the International preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

JAN. 3. 2003 6:37PM

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Customer No.: 00140

SIGNATURE OF PRACTITIONER

William R. Evans

(type or print name of practitioner)

c/o Ladas & Parry

26 West 61st Street

P.O. Address

New York, N.Y. 10023

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office
Action—page 3 of 3) 6-3

Received from < > at 1/3/03 6:34:06 PM [Eastern Standard Time]

Practitioner's Docket No. U 011573-2**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Kari KIRJAVAINEN, et al.

Application No.: 10/010,440

Group No.:

Filed: November 8, 2001

Examiner:

For: A PIPE

**Assistant Commissioner for Patents
Washington, D.C. 20231**

Sir:

INFORMATION DISCLOSURE STATEMENT

We draw the attention of the Examiner to the attached copies of EP 89906779, DE 2 051 390, DE 1 454 762, and CH 392 045, which are listed on Form PTO-1449.

We also draw the attention of the Examiner to the attached English-language version of an International-type Search Report from a foreign office in respect of counterpart International Application No. PCT/FI96/00359 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required. MPEP 609.

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231

Date: JANUARY 8, 2002

*(Signature of person mailing paper)*William R. Evans*(type or print name of person certifying)*

The applicant's overseas representative comments on as follows: CH 568148 discloses an extrusion apparatus which does not have an expanding mandrel. Reference numeral 7 is a part of a homogenisation zone of the extruder but not a mandrel to force the inner layer and the tie layer against the base layer. In the document extruded material is further conveyed through an opening (reference number 5) to the die (column 5, lines 44-46). In other words, there is not shown any die or mandrel in Fig. 3 or in the whole document at all.

Form PTO-1449 is also attached with copies of the references listed, except for references in category A defining the general state of the art.

We also draw the attention of the Examiner to the attached English-language version of an International-type Search Report from a foreign office in respect of counterpart SE Application No. 9503272-8 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required. MPEP 609.

Form PTO-1449 is also attached with copies of the references listed, except for references in category A defining the general state of the art.

We also draw the attention of the Examiner to the attached English-language version of an International-type Search Report from a foreign office in respect of counterpart FI Application No. 961822 and a non-English International-type Search Report of a foreign office in respect of counterpart FI Application No. 961822 and an English-language version thereof indicating the degree of relevance found by the foreign office.

Form PTO-1449 is also attached with reference copies.

We also draw the attention of the Examiner to the attached English-language version of an International-type Search Report from a foreign office in respect of counterpart International Application no. PCT/FI96/00658 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required.

MPEP 609.

Form PTO-1449 is also attached with copies of the references listed, except for references in category A defining the general state of the art. Derwent's abstract no. 88-291009 was cited in the search report of FI Application No. 961822.

We also draw the attention of the Examiner to the attached English-language version of an International-type Search Report from a foreign office in respect of counterpart FI Application No. 961540 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required. MPEP 609.

Form PTO-1449 is also attached with copies of the references listed, except for references in category A defining the general state of the art. U.S. 3 314 108 was cited in the search report of FI Application No. 961822 and DE 372 214 was cited in the search report of PCT/FI96/00658.

We also draw the attention of the Examiner to the attached English-language version of an International-type Search Report from a foreign office in respect of counterpart International Application No. PCT/FI97/00211 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required. MPEP 609.

Respectfully submitted,

WILLIAM R. EVANS
LADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG.NO.25,858 (212)708-1930

FORM PTO-1449

U. S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.

SERIAL NO.

U 011573-2

APPLICANT

Kari KIRJAVAINEN, et al.

FILING DATE

GROUP

November 8, 2001

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
AA		3 4 2 5 4 5 5	2/1969	Kilpert et al.	138	143	
AB							
AC							
AD							
AE							

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
						YES NO
AF	8 9 9 0 6 7 7 9	4/1994	EP			X
AG	2 0 5 1 3 9 0	4/1972	DE			X
AH	1 4 5 4 7 6 2	5/1969	DE			X
AI	3 9 2 0 4 5	9/1986	CH			X
AJ	5 6 8 1 4 8	10/1975	CH			X
AK	0 4 1 0 5 0 3	1/1991	EP			X
AL	8 4 8 4 2 3	9/1960	GB			X
AM	8 4 0 1 9 2 0	5/1984	WO			X
AN	0 4 7 2 4 1 8	2/1992	EP			X

OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

AO	Patent Abstracts of Japan of JP 58-27040 dated February 17, 1983
AP	Richard, K., et al. "Verfestigte Rohre aus Ziegler-Polyathylen" Kunststoffe, Vol. 50, No. 7, p. 371-375, (1960)
AQ	Derwent's abstract no. 93-079947 of JP 50 024109 dated February 2, 1993
AR	Derwent's abstract no. 89-175386 of JP 11 14418 dated January 14, 1986

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 6-4

FORM PTO-1449

U. S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

SERIAL NO.

U 011573-2

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

APPLICANT

Kari KIRJAVAINEN, et al.

(Use several sheets if necessary)

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November 8, 2001

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	3 3 1 4 1 0 8	4/1967	M. Wienand et al.	18	12	
	AB	5 3 8 7 3 8 6	2/1995	Kirjavainen	264	173	
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
						YES	NO
	AL	1 0 9 2 1 8 6	11/1960	DE			X
	AM	3 7 2 2 1 4	3/1923	DE			X
	AN	0 1 5 3 7 1 5	9/1985	EP		X	
	AO						
	AP						

OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

	AR	Derwent's Abstract no. 88-291009/41 of SU 1384-394 dated January 14, 1986
	AS	
	AT	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 6-4

Practitioner's Docket No. U 011573-2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application
of _____

Inventor(s)

for _____

Title of invention

OR

In re application of: KARI KIRJAVAINEN, et al

Serial No.: 10/010,440

Filed: November 8, 2001

For: A PIPE

Group No.:

Examiner:

Assistant Commissioner for Patents
Washington, D.C. 20231TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))

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CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
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37 C.F.R. 1.8(a)

37 C.F.R. 1.10*

- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"
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TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: January 11, 2002

Signature

WILLIAM R. EVANS

(type or print name of person certifying)

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JAN. 3. 2003 6:39PM

LADAS & PARRY 212 246 8959

NO. 4574 P. 19

Reg. No. 25,858

Tel. No.: (212)708-1930

Customer No.: 00140

SIGNATURE OF PRACTITIONER

WILLIAM R. EVANS

(type or print name of practitioner)

LADAS & PARRY

P.O. Address

26 WEST 61ST STREET

NEW YORK, NEW YORK 10023

Practitioner's Docket No. U 011573-2**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Kari KIRJAVAINEN, et al.

Application No.: 10/010,440

Group No.:

Filed: November 8, 2001

Examiner:

For: A PIPE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT

We draw the attention of the Examiner to the attached references which are also listed on the attached Form PTO-1449.

We also draw the attention of the Examiner to the attached English-language version of an International-type Search Report from a foreign office in respect of counterpart European Application No. EP 98200104.2 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required. MPEP 609.

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231

Date: JANUARY 11, 2002

*(Signature of person mailing paper)*William R. Evans*(type or print name of person certifying)*

We also draw the attention of the Examiner to the attached English-language version of an International-type Search Report from a foreign office in respect of counterpart European Application No. EP 98200105.9 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required. MPEP 609.

We also draw the attention of the Examiner to the attached references which were cited in an Office Action dated April 24, 2001, in counterpart Japanese application No. 170797/00 and which are listed on the attached Form PTO-1449. A copy of the Japanese Office Action is also enclosed.

We also draw the attention of the Examiner to the attached references which were cited in an Office Action dated December 7, 1999, in counterpart Japanese application No. 504185/97 and which are listed on the attached Form PTO-1449. A copy of the Japanese Office Action is also enclosed.

Respectfully submitted,

WILLIAM R. EVANS
LADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG.NO.25,858 (212)708-1930

FORM PTO-1449

U. S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE
STATEMENT BY APPLICANT

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10/010,440

APPLICANT

Kari KIRJAVAINEN, et al.

FILING DATE

GROUP

November 8, 2001

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
AA		3 4 2 5 4 5 5	2/1969	Kilpert, et al.	138	143	
AB		4 6 4 0 3 1 3	2/1987	Stanley	138	141	
AC		4 7 8 3 8 1 7	11/1988	Hamada et al.	381	71	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
						YES	NO
AD	1 4 0 7 0 4 3	9/1975	GB			X	
AE	0 0 4 8 5 2 2	3/1982	EP			X	
AF	5 9 3 8 1 5	11/1986	AU			X	
AG	2 2 1 8 7 7 3	11/1989	GB			X	
AH	4 0 3 9 7 5 7	4/1992	DE				X
AI	0 3 5 3 9 7 7	2/1990	EP			X	
AJ	0 0 2 4 2 2 0	2/1981	EP				X
AK	0 5 8 1 2 0 8	2/1994	EP				X
AL	3 5 1 1 3 7 1	10/1986	DE				X
AM	2 7 2 5 2 2 4	12/1978	DE				X
AN	0 0 9 3 0 2 5	11/1983	EP			X	
AO	4 6 2 7 6 2	8/1990	SE				X
AP	5 7 9 1 8 4	6/1933	DE				X
AQ	0 1 1 1 1 6 9	6/1984	EP				X

OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

AR	
AS	
AT	

EXAMINER

DATE CONSIDERED

EXAMINER:

Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449

U. S DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE
STATEMENT BY APPLICANT

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
AA							
AB							
AC							

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
													YES	NO
	AD	5	2	9	3	8	7	0	11/1993	JP				X
	AE			7	9	1	5	8	4/1995	JP				X
	AF	5	4	1	5	0	4	8	11/1979	JP				X
	AG		4	2	6	2	1	8	9/1992	JP				X
	AH		4	5	0	4	4	5	8/1992	JP				X
	AI			3	1	4	3	9	2/1991	JP				X
	AJ	1	0	5	1	1	6	1	11/1998	JP				X
	AK		5	8	1	6	8	3	1/1983	JP				X
	AL		5	2	2	0	7	3	8/1993	JP				X
	AM			6	2	4	9	8	1/1987	JP				X

OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

AN	Partial Translation of JP 5-293870/93 dated November 9, 1993
AO	Partial Translation of JP 7-91588 dated April 4, 1995
AP	English translation of the title of JP 54-150488 dated November 26, 1979
AQ	English translation of the title of 4-262188 dated September 17, 1992
AR	English translation of the title of 4-504458 dated August 6, 1992
AS	English translation of the title of 3-14392 dated February 13, 1991
AT	Partial Translation of JP 58-16831 dated January 31, 1983
AU	Partial Translation of JP 5-220739 dated August 31, 1993
AV	Partial Translation of JP 62-4986 dated January 10, 1987

EXAMINER

DATE CONSIDERED

EXAMINER:

Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.